

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **December 4, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call: Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Stephanie Atigh, and City Clerk Geri Johnson.

Verification of Agenda Posting

6:00 p.m. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed)

2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number HO29296
 - c. Wald, Ruhnke & Dost Architects v. City of Hollister, San Benito Superior Court Case No. CV-06-00141
 - d. City of Hollister v. Hollister Independence Rally Committee, Monterey County Superior Court Case Number M 80799
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential
5. Personnel – City Manager Evaluation
6. Threat to Public Services or Facilities pursuant to Government Code Section 54957

Consultation with Hollister Police Chief

6:30 p.m. - AGENDA

1. Appointment of City Treasurer.

The City Council will make an appointment to the office of City Treasurer to fill the vacancy to complete the four year term.

2. Resolution No. 2006-160, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RECITING THE FACTS OF THE CONSOLIDATED GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 7, 2006, AND DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

This Resolution will declare the results of the Consolidated General Municipal Election held on Tuesday, November 7, 2006.

3. Presentation of plaques to outgoing Mayor/Council Member Robert Scattini.

Vice Mayor Pike and Council Member Valdivia will present plaques to Mayor/Council Member Robert Scattini for his four year term on the City Council and his one year as Mayor.

4. Oath of Office to newly elected City Council Member Eugenia Sanchez.

City Clerk Johnson will administer the Oath of Office to City Council Member Eugenia Sanchez.

5. Election of Mayor and Mayor Pro Tempore and Oath of Office to each.

The City Council will elect the Mayor and Mayor Pro Tempore from among themselves. City Clerk Johnson will administer the Oath of Office to the Mayor and Mayor Pro Tempore.

A. CONSENT RESOLUTION (December 4, 2006):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, and A3.

- A1. Minutes of the Special City Council Meetings of November 13 and 27, 2006, and the Regular City Council Meeting of November 20, 2006.

Approve Minutes of the Special City Council Meetings of November 13 and 27, 2006, and the Regular City Council Meeting of November 20, 2006, as submitted.

- A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- November 22, 2006, in the amount of \$ 520,826.33

- A3. Resolution No. 2006-161, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES MASTER CONTRACT WITH CH2MHILL, INC.

This Resolution will approve Amendment #1 to the Professional Services Contract with CH2M Hill for program management services for the Long Term Wastewater Management Project.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

None.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Read by Title Only and Adopt Ordinance No. 1011, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING CHAPTER 12.36 PARADES AND PUBLIC ASSEMBLIES TO REGULATE VENDORS AT PERMITTED EVENTS.

This Ordinance requires all vendors selling goods, food, beverages, or services at Events must be authorized by the Event permit holder or organizer with two narrow exceptions (sales from a building or pursuant to a Zoning code *temporary uses* permit).

2. Resolution No. 2006-162, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING FEES FOR THE "THROUGH THE FENCE" ACCESS BY AIRCRAFT AT THE HOLLISTER MUNICIPAL AIRPORT.

This Resolution approves the fees for the "Through the Fence" access by aircraft at the Hollister Municipal Airport.

3. Resolution No. 2006-163, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF AGREEMENT WITH THE HOLLISTER MOTORCYCLE RALLY COMMITTEE FOR THE 2007 FOURTH OF JULY EVENT.

This Resolution executes an Agreement between the Hollister Motorcycle Rally Committee and the City of Hollister for the 2007 Fourth of July event.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Atigh, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral report from City Manager Quilter.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next regular City Council Meeting is scheduled for December 18, 2006, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].